

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PARISE KING,

Plaintiff,

v.

Case No. 2:18-cv-12529
District Judge Sean F. Cox
Magistrate Judge Anthony P. Patti

CORELLE BRANDS, L.L.C.,
et al.,

Defendants.

**ORDER REGARDING DEFENDANT CORELLE BRAND'S MOTION FOR
NON-PARTIES BCBSM AND MDHHS TO SHOW CAUSE FOR FAILURE
TO COMPLY WITH SUBPOENAS (DE 22)**

On or about February 18, 2019, Defendant Corelle Brands, L.L.C. filed a motion for non-parties Blue Cross Blue Shield of Michigan (BCBSM) and Michigan Department of Health and Human Services (MDHHS) to show cause for failure to comply with subpoenas. (DE 22.) Defendant asserts in its motion that, on or about February 4, 2019, it served subpoenas upon BCBSM in Detroit and MDHHS in Lansing, each of which requested production by February 15, 2019; yet, these entities have failed to respond. (DE 22 at 8, DE 22-2, DE 22-3.) Accordingly, Defendant requests that the Court enter an order requiring these non-parties to: (1) show cause why they should not be held in contempt; (2) produce the medical and billing records pertaining to Parise King, as ordered pursuant to

the Subpoena; and, (3) pay reasonable attorney fees and expenses incurred by Defendant for having to bring this motion. (DE 22 at 11.)

This motion has been referred to me for hearing and determination. (DE 23.) In her February 21, 2019 response, Plaintiff claims to have forwarded to Defendant “what records she has received from those entities[.]” but agrees that this “does not relieve the nonparties from complying with the subpoenas.” (DE 24.) Plaintiff also agrees that “Defendant is entitled to the information requested[.]” (*Id.*)

Upon consideration,

- (1) No later than **Friday, March 1, 2019**, Defendant Corelle Brands shall file a certificate of service demonstrating that the instant motion and a copy of this Order have been served upon non-parties BCBSM and MDHHS;
- (2) No later than **Friday, March 15, 2019**, non-parties BCBSM and MDHHS shall show cause to this Court, in writing, as to *whether*, and if so, *why* they have failed to respond to the subpoenas (DEs 22-2); and,
- (3) Defendant Corelle Brands shall file its reply brief, if any, on or before **Friday, March 22, 2019**.

Further, the parties *and non-parties BCBSM and MDHHS* are ordered to appear before the Court for a show cause hearing on Defendant’s motion for non-parties BCBSM and MDHHS to show cause for failure to comply with subpoenas (DEs 22) before Magistrate Judge Anthony P. Patti at the Theodore Levin U.S.

Courthouse, 231 W. Lafayette Boulevard, room 672, Detroit, MI on **Friday, March 29, 2019 at 10 a.m., at which non-parties BCBSM and MDHHS or their counsel must explain why they should not be held in contempt, unless the parties are able to resolve this motion by stipulated order in advance of the hearing.**

IT IS SO ORDERED.

Dated: February 28, 2019

s/ *Anthony P. Patti*

Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on February 28, 2019, electronically and/or by U.S. Mail.

s/ Michael Williams

Case Manager for the
Honorable Anthony P. Patti